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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,890	02/20/2004	Ashish A. Pandya	2103110-991180	7628
26379	7590	05/24/2005	EXAMINER	
DLA PIPER RUDNICK GRAY CARY US, LLP			EMDADI, KAMRAN	
2000 UNIVERSITY AVENUE			ART UNIT	
E. PALO ALTO, CA 94303-2248			PAPER NUMBER	

DATE MAILED: 05/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/783,890	PANDYA, ASHISH A.	
	Examiner	Art Unit	
	Kamran Emdadi	2667	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12-17-04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Williams (U.S. Patent Application No. 2003/0005331).

Regarding claims 1, 9 and 26, Williams teaches a security network system (see figures 1-3) that operates by providing security at two or more network layers of the OSI model (see figure 4). Regions B and C both provide security to the network, but operate at different layers of the OSI model (see [0073, 0076]. For instance, region B operates by providing layer-3 security protection (i.e. encryption) that ensures communication secrecy in the network (see [0073]). Region C, however, operates by providing layer-4 security protection in the same network as region B (see [0076]). As described above encryption is performed, which is handled by a security processing engine or security device 18, the complete processing explanation for security device 18 is described in detail in [0067].

Regarding claim 27, further with reference to the above discussion regarding claim 1, Williams teaches a unique policy driver (see [0032]) used to set up the hardware to handle the enforcement of policy rules, and where the policy is in the form of a software driver and handled by a central manager device (DAC) (see [0129]).

Regarding claims 3 and 11, the central manager and security policy software is set up on a network system to comply with the security policy (see [0129]).

Regarding claims 4 and 12, the network security policies are compiled and enforced based on rules (see [0066]).

Regarding claims 5 and 13, the network security is based on rules for layers 2-4 (see figure 4).

Regarding claims 6 and 14, the network security system provides support for DES and 3DES (see [0032]).

Regarding claims 7 and 15, the network security policies are executed via a processor (see [0149]).

Regarding claims 8 and 16, the network system provides counter attack services (see [0032]).

Regarding claim 9, the network security policies are enforced based on rules (see [0066]).

Regarding claim 10, the network includes a remote memory access capability over the Internet 30 (see [0236] and figure 14).

Regarding claims 17-18, the network security system uses a UNIX server (see [0093]).

Regarding claim 19, the network security system includes packet header processing (see figure 5).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 and 20-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams in view of Twomey (U.S. Patent Application No. 2003/0131228).

Williams teaches all of the above described features, however, Williams is silent regarding a storage area network (SAN). Twomey discloses a system for a SAN that handles both secure and regular types of network security (see [0006, 0027]).

Motivation to combine the SAN of Twomey with the security network of Williams is evident from the background portions of their respective specifications. For instance, Williams discloses the need for security networks that operate at various layers of the network layer hierarchy and provide centralized administration to prevent unauthorized parties from accessing a private network (see [0025]). Similarly, Twomey discloses the need to provide encryption for a network system to prevent unauthorized access to a private network (see [0034]). The system includes a security processor for handling secure data traffic and utilizes security protocols (i.e. Ipsec).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined these two network security systems to arrive at the features disclosed in claim 2. Further, claims 20-25 are disclosed in Williams, as indicated above with respect to the discussions for claims 3-10.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kamran Emdadi whose telephone number is 571-272-6047. The examiner can normally be reached M-F between the hours of 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kamran Emdadi

May 17, 2005


CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600 5/20/05